THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO :3 of 2007

DATED: 13-03-2007

BETWEEN:

Vemula Mohan.

..... PETITIONER

AND

Mr.Sadanandam,
Sub-Inspector of Police,
Raikal Police Station,
Karimnagar District.

.....RESPONDENT

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home appearing for the respondent.

2. Petitioner seeks a writ of mandamus declaring the action of the respondent in calling the petitioner frequently to the police station and threatening him to transfer his immovable property to the friends of the respondent, as illegal and arbitrary.

3. It is stated that the petitioner is a permanent resident of Raikal village of Karimnagar Mandal and District and he has purchased certain extent of land by obtaining loans from S.Rajareddy, B.Mohan, and A.Ashok, who are the businessmen of the said village in the year, 2004 by executing promissory notes in their favour. It is stated that on
25-12-2006 the respondent telephoned the petitioner and asked him to come to the police station regarding the payment of the said amounts to the third parties and accordingly, the petitioner went to the police station on
26-12-2006 and then the respondent threatened the petitioner that he would register a criminal case if he does not transfer all his properties in the name of the said persons who are the friends of the respondent. It is further stated that the respondent again sent a

Home guard by name Ramchander to the house of the petitioner for payment of amount to the said three persons. Thus, it is the case of the petitioner that the respondent is interfering with the civil rights and became a money collecting agent of the said third parties. If the said allegations are found to be true and correct, no doubt they are said to be serious allegations and appropriate departmental action as well as criminal action is liable to be initiated against the respondent, but without making any representation before the Superintendent of Police and without making any complaint or report before the concerned, it may not be just and proper to seek a writ of mandamus.

4. Accordingly, the Writ Petition is dismissed with a liberty to approach the concerned seeking appropriate action. No order as to costs.

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V.ESWARAIAH, J

13th March, 2007
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